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7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**

9 INTEL CORPORATION and APPLE INC.,

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11 Plaintiffs,

12 v.

13 FORTRESS INVESTMENT GROUP LLC,
14 FORTRESS CREDIT CO. LLC, UNILOC
15 2017 LLC, UNILOC USA, INC., UNILOC
16 LUXEMBOURG S.A.R.L., VLSI
17 TECHNOLOGY LLC, INVT SPE LLC,
18 INVENTERGY GLOBAL, INC., and IXI IP,
19 LLC,

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Defendants.

Case No. 3:19-cv-07651-EMC

**STIPULATION AND [PROPOSED
ORDER] CONTINUING HEARING ON
MOTION TO DISMISS**

Pursuant to Civil Local Rule 7-12 and the Court's Notice Scheduling a Hearing Regarding Defendants' Joint Motion to Dismiss (Dkt No. 248), plaintiffs Intel Corporation and Apple Inc. (collectively, "Plaintiffs") and defendants Fortress Investment Group LLC, Fortress Credit Co. LLC, Uniloc 2017 LLC, Uniloc USA, Inc., Uniloc Luxembourg S.a.r.l., VLSI Technology LLC, Inventergy Global, Inc., INVT SPE LLC, and IXI IP, LLC (collectively, "Defendants") by and through their undersigned counsel hereby request and stipulate as follows:

WHEREAS, on April 27, 2021, the Court entered an Order scheduling a hearing on Defendants' Joint Motion to Dismiss for August 26, 2021 at 1:30 PM ("Motion to Dismiss Hearing"). Dkt. No. 248.

WHEREAS, the parties hereby request and stipulate that the Motion to Dismiss Hearing be rescheduled from August 26, 2021 at 1:30 PM to one of September 8, 2021, September 9, 2021, September 14, 2021, September 15, 2021, or September 16, 2021.

WHEREAS, there is good cause for this request because Plaintiffs' lead counsel has a scheduling conflict on August 26, 2021.

WHEREAS, Plaintiffs' lead counsel and all lead counsel for the five separately represented groups of Defendants will be available to appear on September 8, 2021, September 9, 2021, September 14, 2021, September 15, 2021, and September 16, 2021.

WHEREAS, this Court has granted eight prior stipulations by the parties to extend time:

- On December 5, 2019, the Court granted a stipulation to extend the time for Defendants to file a declaration supporting Plaintiffs' motion to seal the original complaint from November 25, 2019 to December 6, 2019. *See* Dkt. No. 43.
- On December 13, 2019, the Court granted a stipulation to extend the time for Defendants to respond to the original complaint from December 16, 2019 to February 4, 2020 and extended the corresponding briefing schedule on Defendants' motion to dismiss. *See* Dkt. No. 75.
- On February 10, 2020, the Court granted a stipulation to continue the Case Management Conference from February 20, 2020 to April 23, 2020. *See* Dkt. No. 124.
- On March 31, 2020, the Court granted a stipulation to extend the time for Defendants to file a reply in support of their motions to dismiss, strike, and/or stay the action from April 6, 2020 to April 13, 2020. *See* Dkt. No. 161.

- On August 12, 2020, the Court granted a stipulation to extend the time for Defendants to respond to the amended complaint from August 25, 2020 to September 15, 2020 and extended the corresponding briefing schedule on Defendants' motion to dismiss. *See* Dkt. No. 196.
- On August 28, 2020, the Court granted a stipulation to continue the Case Management Conference from September 17, 2020 to December 17, 2020. *See* Dkt. No. 199.
- On February 2, 2021, the Court granted a stipulation to enlarge the time for Plaintiffs to file a second amended complaint from February 5, 2021 to to March 8, 2021. *See* Dkt. No. 232.
- On March 16, 2021, the Court granted a stipulation to extend the time for Defendants to respond to the second amended complaint from March 8, 2021 to April 26, 2021 and extended the corresponding briefing schedule on Defendants' motion to dismiss. *See* Dkt. No. 240.

WHEREAS, the requested time modification would not affect the case schedule other than the date of the Motion to Dismiss Hearing.

IT IS HEREBY STIPULATED AND AGREED by and between the parties, subject to the Court's approval:

1. The Motion to Dismiss Hearing, currently set for August 26, 2021 at 1:30 PM, shall be continued to September 8, 2021, September 9, 2021, September 14, 2021, September 15, 2021, or September 16, 2021.

IT IS SO STIPULATED.

DATED: May 12, 2021

Respectfully submitted,

By: /s/ Mark D. Selwyn

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CERTIFICATE OF SERVICE

On this 12th day of May 2021, I hereby certify that I caused the foregoing document entitled STIPULATION AND [PROPOSED] ORDER CONTINUING MOTION TO DISMISS HEARING to be filed via the court's CM/ECF system, which shall send notice to the counsel of record for the parties.

DATED: May 12, 2021

Respectfully submitted,

By: /s/ Mark D. Selwyn

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Attorney for Plaintiffs
INTEL CORPORATION and APPLE INC.

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

DATED: _____

The Honorable Edward M. Chen
United States District Judge

ECF ATTESTATION

I, Mark D. Selwyn, am the ECF user whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER CONTINUING MOTION TO DISMISS HEARING. I hereby attest that I received authorization to insert the signatures indicated by a conformed signature (/s/) within this e-filed document.

By: /s/ Mark D. Selwyn
Mark D. Selwyn